



July 19, 2023

Honorable Lewis J. Liman
United States District Judge
United States District Court
Southern District of New York

Re: United States Securities and Exchange Commission v. Elon Musk
No. 18-cv-8865 (LJL)
United States Securities and Exchange Commission v. Tesla, Inc.
No. 18-cv-8947 (LJL)

Dear Judge Liman:

Rust Consulting, Inc. (the "Distribution Agent") respectfully submits this status report.

The Plan of Distribution (the "Plan") was approved by this Court on March 25, 2022.

Approximately 6,399 Claim Forms have been received. To be considered for a Distribution Payment, a Preliminary Claimant must have submitted a Claim Form with the Distribution Agent.

Claim Status Notices were mailed to all Preliminary Claimants that submitted a Claim Form. Preliminary Claimants had 45 days from the date of the notice to cure any deficiencies or seek reconsideration of a denied Claim Form.

Pursuant to Paragraph 66 of the Plan, an independent, third-party firm was engaged to perform a set of agreed upon procedures, review a statistically significant sample of Claim Forms, and ensure accurate and comprehensive application of the Plan of Allocation. This review is underway and is anticipated to be completed on or around August 1, 2023.

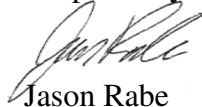
Pursuant to Paragraph 71 of the Plan, the Distribution Agent will compile and send to the Commission staff the Payee information, including the name, address, calculated Recognized Loss, and the amount of the Distribution payment for all Payees (the "Payment List"). The Distribution Agent will also provide to the Commission staff a Declaration representing among other things the completeness and accuracy of the Payment List.

An Escrow Agreement shall also be drafted, and once approved by the Commission staff, the Distribution Agent shall setup the bank accounts for the Fair Fund. The Distribution Agent shall

establish an escrow account with Huntington National Bank as well as a controlled disbursement account for the purposes of funding distribution payments to be distributed to Payees pursuant to the Plan. As checks are presented each day, only enough funds to cover the presented checks will be moved from the escrow account to the disbursement account.

Pursuant to Paragraph 99 of the Plan, the Distribution Agent will provide additional progress reports within twenty (20) days after the end of every quarter. Once the Fair Fund has been transferred to an escrow account opened by Rust Consulting, an accounting report shall be included.

Respectfully submitted,



Jason Rabe
Program Manager
Rust Consulting, Inc.

